

SUBDIVISION APPLICATION:

SV-1-2008

Market Street – (From Lehman Avenue to 3650 South)

BACKGROUND

West Valley City is requesting a street vacation for a portion of Market Street. The portion to be vacated is located to the south of Lehman Avenue extending south to 3650 South.

The request, submitted by West Valley City, is to vacate the right-of-way in anticipation of light rail, the bus hub and City Center plaza, all parts of the Intermodal Center. Proposed improvements in this area of the City Center are the driving force behind the street vacation. Construction could begin in May 2008. The current location of Market Street will become a part of the bus hub, and plaza, with a small section crossed by the Light Rail project.

The vacated right-of-way will not adversely affect the adjacent business to the east, the Credit Union, as frontage and access requirements will still be satisfied. Although all issues related to the Credit Union have not been resolved, it is expected that this site can be modified to provide sufficient access, especially for their drive through banking functions. The drive through may exit through the City Hall parking lot.

Various properties to the west will also be included in the development plans noted above. UTA and the City have been negotiating the purchase of certain properties that fall within the development site. The majority of the properties are owned by the Utah Transit Authority and WVC.

According to City ordinance, streets and/or alley vacations shall be reviewed by the Planning Commission with a recommendation to the City Council.

RECOMMENDATION

1. Approval of the street vacation plat because the area is needed for the transit improvements associated with the Intermodal Center.
2. Continue the application due to issues raised at the public hearing.

Applicant:

West Valley City

Favored

Dee Hanson
5445 South Highland Dr.
Holladay, UT 84117

Opposed

Ricki Landers
3661 S. Market St.
WVC, UT 84119

Opposed

Floyd Mann
3551 Market St.
WVC, UT 84119

Opposed

Colleen Stephens
2883 W. Lehman Ave.
WVC, UT 84119

Opposed

Nicole Howard
3605 S. 3600 W.
WVC, UT 84119

Discussion: John Janson presented the application. Commissioner Conder stated that construction will begin in May and questioned if Market Street will be closed at this time. Mr. Janson explained that the road will be kept open for as long as possible and the project will begin with the demolition of several buildings. Commissioner Fuller asked if the portion north of Lehman Ave. would remain open. Mr. Janson stated that Market Street would stay open going north to 3500 south and there will also be a one way road from 2700 West coming into Lehman Ave. and the Market Street intersection. Commissioner Fuller asked if either of these roads would ever be closed during this process. Mr. Janson stated that he didn't anticipate either of them to be closed at any point and both should remain open during construction.

Commissioner Mills asked about the America First credit union and questioned what options were being explored to allow customers to utilize and exit the drive through. Mr. Janson explained that there are 3 potential solutions to this problem. The first option is to allow customers to travel south of the building and come back into the parking lot. Another option is the possibility of having customers go through the bus hub temporarily. The third option is circulating around to the north and out of the West Valley City parking lot. Mr. Janson explained that no plans have been finalized yet but these options are all being explored and discussed with the America First credit union.

Commissioner Fuller asked Mr. Janson to explain why these changes are necessary. Mr. Janson explained that TRAX will be coming from the main line at 2100 South with stops at Metro Business Park at about 2300 South, Redwood Road, the E-Center, and the end of line stop at City Hall. This Intermodal Center will combine three modes of transportation including TRAX, buses, and the bus rapid transit system to provide a convenient transfer location. Commissioner Fuller asked what amenities will be provided at this location. Mr. Janson explained that there will likely be a small picnic area, sky shade structures, artwork, landscaping, and various sitting locations.

Dee Hanson, a real estate broker for America First credit union, stated that he is working with UTA and the City on this project and the credit union is dedicated and committed to serving this area. Mr. Hanson stated that America First feels that the change the Intermodal Center will bring will provide a positive step forward for the branch and the area. Mr. Hanson said that the credit union will remain open during construction. Commissioner Matheson stated this branch appeared to be very busy and asked if the new facility to the West would relieve some of the burden. Mr. Hanson replied that the new branch is not a replacement for this one and there will eventually be another branch in this area. Commissioner Conder stated that there are 3 different options being looked at to route traffic from the credit union and asked Mr. Hanson which one he preferred. Mr. Hanson stated that he is working with UTA and West Valley City to determine the most beneficial and appropriate method of routing traffic. Commissioner Conder asked if the branch will be relocated during construction? Mr. Hanson stated that America First credit union is anticipating the relocation of this branch to occur after construction is completed.

Ricki Landers, a neighbor living near the proposed project, stated that there are several questions she would like to have answered. Ms. Landers felt it was important to understand the time period buses will be entering the neighborhood, how long the buses will be idling in one location, and how the apartment buildings being torn down will be handled in regards to asbestos. Ms. Landers expressed she has asthma and feels these changes may negatively impact her health and the health of her neighbors. Mr. Janson reminded Ms. Landers that this application is requesting that a portion of Market Street be vacated and these concerns can be explained and resolved in a neighborhood meeting that staff will arrange. Ms. Landers expressed her frustration that the Planning Commission hearings are scheduled at 4:00pm and stated that most people do not get off work until a later time. She feels that the City is doing the bare minimum to address this issue and stated that many people on Lehman Ave. and Market Street did not receive proper notification regarding this application. Ms. Landers stated that air quality in Utah is extremely poor and the vacation of Market Street will instigate the demolition of the apartment buildings that Ms. Landers stated likely have asbestos. She doesn't believe the City has given proper consideration to the residents of this area and feels frustrated because she doesn't believe her opinion and concerns are appropriately being considered and addressed. Ms. Landers, and several people from the audience, voiced their opinion that these issues need to be adequately addressed before the portion of Market Street is vacated. Mr. Janson explained that environmental impact meetings were held that did address some of these factors. Ms. Landers expressed her frustration and stated that she was never notified of any meetings, including this public hearing.

Ms. Landers stated that she doesn't want to have to take time off of work to go to another early meeting and hear the same explanations. She would like to have an evening meeting and is extremely irritated that none of her concerns are going to be addressed at the present time. Mr. Janson stated that the questions Ms. Landers has are technical questions that specialists need to address. Commissioner Fuller added that a lot of the concerns were directed toward UTA and a meeting can be organized to address these issues. Commissioner Matheson expressed concern about Ms. Landers comments.

Floyd Mann, another neighbor near the project, expressed his frustration that the City only sent notification letters to a 300 foot radius. Mr. Mann stated that this feels unfair and inaccurate because more people will be affected by this application. Mr. Mann stated that the West Valley City newspaper had no listing for the Planning Commission meeting and no one in the community was properly notified. Mr. Mann questioned how this street closure will benefit the many residents of Market Street that do not utilize Trax or buses. Mr. Mann expressed his concern for the safety of pedestrians crossing the street and mentioned that there are a lot of accidents that need to be addressed by the City. He also expressed his frustration and doubts regarding the proposed plan for traffic flow during construction. Commissioner Conder clarified with Mr. Janson that traffic flow will be appropriately addressed and looked at by the City. Mr. Janson stated that it would.

Colleen Stephens, a neighbor living on Lehman Ave., asked if people will be coming off Market Street down Lehman Ave. every day. Ms. Stephens stated that the only way to get out onto 3200 West does not include a traffic light. Ms. Stephens explained that there is a lot of traffic in this area every morning and at night and believes this proposal will make the problem more pronounced. Ms. Stephens asked Mr. Janson if there would be a continuous flow of people going down Lehman Ave.. Mr. Janson explained that there are other options for traffic to utilize.

Nicole Howard, another concerned neighbor, stated that buses will be coming and going near her front yard and questioned about the sound issues this may potentially cause. Mr. Janson stated that this was addressed in the environmental impact statement. Possible solutions that were discussed included incorporating a possible sound wall, increasing the insulation in homes, and updating windows. Mr. Janson said that residents will be contacted individually regarding this matter in the future.

Commissioner Mills stated that the time and day of the Planning Commission public hearing does not change and neither does the 300 foot mailing radius that is a minimum required by State law. These two items have been standard since West Valley was recognized as a city. Commissioner Conder added that public notice should have happened accurately and this will need to be looked into by staff. Commissioner Conder continued to state that the Planning Commission's primary duty is to make the best decisions they can on the applications that come through and then make an informed recommendation to City Council who ultimately make the final decision. Commissioner Conder stated that in the overall picture, if the Intermodal Center is going to be built at this location, this street needs to be vacated. Commissioner Conder stated that the benefits seem to outweigh the negatives because TRAX will provide a lot of benefit to the City in character, transportation, etc. Commissioner Conder believes that this application should move forward but the concerns of the residents, America First credit union, and even City Hall should all be appropriately addressed. Commissioner Matheson agreed and added that if West Valley wants to grow and develop a refined City Center, this is one step in the right direction. Commissioner Davis also agreed and added that something should be done to help the residents feel more comfortable with the project. Another meeting should be scheduled, at a time convenient to the residents, that provides more detailed information to help the neighborhood feel like they have a voice and more options in this development. Commissioner Davis also stated that there seems to be a lot of misconception concerning what Planning and Zoning actually does because this department doesn't have a lot of power on most of the issues being presented. Commissioner Davis said that a lot of these concerns are directed toward UTA and only UTA could provide the most accurate and detailed answers. John Janson added that he will ensure a meeting is organized for the residents.

Commissioner Fuller stated that he lives in this neighborhood as well and understands the concerns of the residents. Ms. Landers stated that it's just another closure to the City and this project won't effect anyone personally but the residents.

There being no further discussion regarding this application, Vice-Chairman Fuller called for a motion.

Motion: Commissioner Conder moved for approval and included a recommendation to staff to arrange a public neighborhood meeting to resolve issues raised by residents

Commissioner Matheson seconded the motion.

Roll call vote:

Commissioner Conder	Yes
Commissioner Davis	Yes
Commissioner Matheson	Yes
Commissioner Mills	Yes
Vice-Chairman Fuller	No

Majority - SV-1-2008– Approved